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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**12M737**

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IN THE MATTER OF AN APPLICATION  
FOR A SEARCH WARRANT FOR:

AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR A SEARCH  
WARRANT

ONE USPS PRIORITY MAIL PARCEL NO.  
9405 5102 0082 8425 9487 09  
ADDRESSED TO LORAIN SMITH 116  
RIVERDALE AVE APT 1F BROOKLYN, NY  
11212

(T. 21 U.S.C. §§  
841(a)(1) and 846)

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EASTERN DISTRICT OF NEW YORK, SS:

MARIA ALBRIGHT, being duly sworn, deposes and states  
that she is a Postal Inspector with the United States Postal  
Inspection Service ("USPIS"), duly appointed according to law and  
acting as such.

Upon information and belief, there is probable cause to  
believe that presently concealed within ONE USPS PRIORITY MAIL  
PARCEL NO. 9405 5102 0082 8425 9487 09 ADDRESSED TO LORAIN SMITH  
116 RIVERDALE AVE APT 1F BROOKLYN, NY 11212 (the "SUBJECT  
PARCEL"), within the Eastern District of New York, are controlled  
substances or residue of controlled substances, which constitute  
evidence of violations of Title 21, United States Code, Sections  
841(a)(1) and 846.

The source of your deponent's information and the

grounds for her belief are as follows:<sup>1</sup>

1. I am a Postal Inspector with the USPIS and am currently assigned to the Prohibited Mailing/Narcotics Team. I have been employed by USPIS for eight years. In that capacity, I have participated in numerous narcotics investigations, including the execution of search warrants and narcotics seizures. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. I am familiar with the facts and circumstances of this investigation from: (a) my personal participation in the investigation and (b) information obtained from other law enforcement agents.

2. Prior investigations and trafficking intelligence have demonstrated that United States Express and Priority Mail have become methods of choice by dealers of controlled substances for the transportation of controlled substances. Prior investigations have also revealed that United States Priority Mail parcels of controlled substances destined for delivery in the New York area often originate from various source locations, including Arizona.

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<sup>1</sup> Because this affidavit is submitted for the limited purpose of establishing probable cause for a search warrant, I have not set forth each and every fact learned during the course of the investigation.

3. On or about July 15, 2012, U.S. Postal Inspectors responded to the Brownsville Post Office located at 167 Bristol Street, Brooklyn, New York 11212 after receiving a call from Post Office Management stating they had a package that was emitting a strong odor of marijuana. The SUBJECT PARCEL originated from Tucson, Arizona and is an approximately 10" x 10" x 10" brown cardboard box weighing approximately eight (8) pounds. The SUBJECT PARCEL bears a return address of Paul Cole 1811 Pass Rd, Biloxi MS 39531 and is addressed to Lorain Smith 116 Riverdale Ave Apt 1F, Brooklyn, NY 11212. The SUBJECT PARCEL has excessive taping on its seams.

4. Public and Postal database checks revealed that there was no one named Paul Cole at the return address nor was there anyone named Lorain Smith at the intended recipient address in Brooklyn, New York.

5. On August 2, 2012, during the course of my investigation, inspectors met with New York Police Department ("NYPD") Narcotics canine handler Detective Antoine Faison. Detective Faison is a certified narcotics detection dog handler. The SUBJECT PARCEL was submitted for exterior inspection and review to Detective Faison and his narcotics detection dog, "Roscoe." Upon inspection, "Roscoe" gave a positive alert to the SUBJECT PARCEL. At approximately 9:42 a.m., Detective Faison informed me that based on his experience with "Roscoe," the

positive alert to the SUBJECT PARCEL indicated the presence of the odor of controlled substances or the residue of controlled substances within the SUBJECT PARCEL.<sup>2</sup>

6. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that the SUBJECT PARCEL contains controlled substances or the residue of controlled substances.<sup>3</sup>

WHEREFORE, your affiant respectfully requests that a warrant be issued authorizing the USPIS, with such other assistance as may be necessary, to open the SUBJECT PARCEL and to search for and seize controlled substances of any sort which

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<sup>2</sup> "Roscoe" is a male Malinois and is certified as a narcotics detection dog by the NYPD. "Roscoe" alerts after detecting the scent of controlled substances, and his alert consists of sitting next to the parcel containing a controlled substance. "Roscoe's" most recent certification took place in December 2010 through the NYPD K-9 Training Academy. "Roscoe" is certified to detect the odors of marijuana, cocaine, heroin and methamphetamines. "Roscoe" has received numerous hours of training and is used on a daily basis for the purpose of detecting narcotic and marijuana odors. "Roscoe" is deployed to conduct searches of packages, containers, vehicles, buildings and their contents. "Roscoe" has been involved in hundreds of search warrants and has made numerous positive identifications. "Roscoe" has an accuracy rate of 97 percent. Therefore, there is probable cause to believe that "Roscoe" is reliable and that the SUBJECT PARCEL contains a controlled substance or its residue.

<sup>3</sup> A positive indication by a trained narcotics-detection canine to a parcel establishes probable cause to believe the parcel contains a controlled substance. See United States v. Glover, 957 F.2d 1004, 1013 (2d Cir. 1992) ("[O]nce the narcotics dog 'hit on' [the defendant's] bags, the police had probable cause to obtain a search warrant.").

constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 846.



MARIA ALBRIGHT  
U.S. Postal Inspector  
United States Postal  
Inspection Service

Sworn to before me this  
7th day of August, 2012

THE HC  
UNITED  
EASTER

ORENSTEIN  
RATE JUDGE  
NEW YORK